REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 4-6 and 34 have been amended, and add new claims 44-46.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 1-46 are pending and under consideration. Reconsideration is requested.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action at pages 2-9, the Examiner rejects claims 1-42 under 35 U.S.C. §103 in view of Ishiguro (U.S. Patent No. 5,796,839) and Loiacono (U.S. Patent No. 5,293,422). The rejection is respectfully traversed and reconsideration is requested.

Among other features, the Examiner asserts on page 2 of the Office Action that FIG. 5 of Ishiguro teaches recording copies of plain text stored in data files in a second encrypted format when copied substantially as claimed in claim 1. By way of review, claim 1 recites, among other features, "a coding method confirming unit to confirm an original coding method applied to the original content data" and "a transcopying unit to convert the original content data into copied content data that is decodable according to a different coding method."

In contrast, Ishiguro teaches, among other features, an encrypting circuit 51 which receives unencrypted plain text through an input 60 and outputs a cipher text. The plain text is unencrypted information, such as a moving picture, sounds, software, which are encrypted and recorded on a DVD 1 as the cipher text using a recording apparatus 54. During reproduction, the cipher text is decoded and the plain text is read. (Col. 5, lines 14-19 & 37-56, col. 8, lines 1-5; FIGs. 3 and 5-7 of Ishiguro). However, since the plain text is not encrypted, there is no suggestion that the encrypting circuit 51 detects a type of encryption of the plain text, that the plain text is to be decrypted by a method other than encryption applied to the plain text to produce the cipher text recorded on the DVD 1. As such, Ishiguro does not suggest "a coding method confirming unit to confirm an original coding method applied to the original content data." Since Loiacono is not relied upon and does not disclose such features, it is respectfully submitted that the combination does not disclose the features of claim 1.

For at least similar reasons, it is respectfully submitted that the combination does not disclose or suggest the invention recited in claims 7, 10, and 19.

Moreover, there is no suggestion that the recording apparatus 54 or the encrypting circuit 51 performs transcopying between different encryption standards as opposed to encryption

unencrypted plain text, whereas claim 1 further recites "a transcopying unit to convert the original content data into copied content data that is decodable according to a different coding method." Since Loiacono is not relied upon and does not disclose such features, it is respectfully submitted that the combination does not disclose the features of claim 1.

For at least similar reasons, it is respectfully submitted that the combination does not disclose or suggest the invention recited in claims 5, 7, 10, 11, and 14.

In addition, on page 2 of the Office Action, the Examiner asserts that FIGs. 1 and 2 of Loiacono show copy management means with copy control. By way of review, Loiacono teaches a diskette 13 which includes an electronic workbook to be completed by a designated user. A copy protected region 15 of the diskette 13 includes a user counter and a unit counter. When a user logs on to use the diskette 13, the number of users is decremented such that, if the number is 0, the new user is denied access. If the number of users is greater than zero or if the user is previously registered, a computer allows the user to access only those units of the workbook not yet completed as determined by the unit counter. (Col. 4, line 60 to col. 5, line 58; FIGs. 1 and 2 of Loiacono).

The diskette 13 is generally required in order to distribute the software on the diskette 13. However, where the program is installed on a hard drive of a computer, information is recorded on the diskette 13 to indicate that the diskette 13 is completely consumed to prevent the diskette 13 from being used or distributed further. (Col. 4, lines 1-12; col. 5, lines 30-49 of Loiacono). There is no suggestion that, if a copy of the software is made from the diskette 13 onto the hard drive, information is included in the copied program in addition to the diskette 13 in order to distinguish the copied program from the program on the diskette 13, or that the transfer from the diskette 13 is made or should be made using a different coding method as compared to the software and other data recorded on the diskette 13.

In contrast, claim 1 recites, among other features, "a management information recording unit to record information indicating that the original content data has been copied in a management information area of the original content data, and to record information indicating that the copied content data has been transcopied from the original content data in a management information area of the copied content data." Since Ishiguro is not relied upon as disclosing such a feature, it is respectfully submitted that the combination does not disclose the invention of claim 1.

For at least similar reasons, it is respectfully submitted that the combination does not disclose or suggest the invention recited in claims 5, 8, 12-14, 16, 17, 28, 30 and 34.

In addition, the Examiner on page 3 of the Office Action asserts that the use of the

encryption in Ishiguro is the functional equivalent of a different encoding method. However, even assuming arguendo that the Examiner is correct, since Ishiguro receives plain text at the input 60, Ishiguro does not disclose or suggest the use of a decoding unit to decode the plain text to be encrypted by the encryption circuit 51. In contrast, claim 2 recites, among other features, that "said transcopying unit comprises: a decoding unit to decode the original content data according to the original coding method." Since Loiacono is not relied upon as disclosing such a feature, it is respectfully submitted that the combination does not disclose or suggest the features of claim 2.

For at least similar reasons, it is respectfully submitted that the combination does not disclose or suggest the features of claims 15 and 31.

On page 3 of the Office Action, the Examiner asserts that Loiacono obviously employs rights management counters substantially as claimed in claim 3. However, once the software is copied from the diskette 13 to a hard drive, Loiacono does not suggest that the counters allow the information, which indicates that the diskette 13 is consumed, to be removed from the diskette 13 if the program is erased from the hard drive such that the diskette 13 is re-enabled to use the software. There is further no suggestion that any such removal of the information should be contingent on a change in coding method. Since Ishiguro is not relied upon as disclosing such a feature, it is respectfully submitted that that the combination does not disclose or suggest "a reverting unit to record information indicating that rights information is restored from the copied content data in the management information area of the original content data, and to confirm whether the copied content data is transcopied from the corresponding original content data so as to restore the original content data from the copied content data" as recited in claim 3.

For at least similar reasons, it is respectfully submitted that the combination does not disclose or suggest the invention recited in claims 9 and 25.

On page 6 of the Office Action, the Examiner asserts that the hierarchical encryption of Ishiguro is the functional equivalent of the use of multiple decoders. By way of review, Ishiguro teaches the use of multiple encryption keys having the hierarchy shown in FIG. 2. In order to decode the encrypted cipher text, a decoding circuit 14 uses a magic number read from the DVD 1 and which is decoded when a master key (i.e., a higher level key) is input. (Col. 6, lines 20-67). However, while different keys are disclosed, the keys are all related to a common encryption method and do not correspond to different methods of encryption or decryption of the cipher text. Thus, it is respectfully submitted that the decoding circuit 14 does not correspond to the "decoders to decode using corresponding coding methods, and the decoding unit selects

one of the decoders to decode the original content data using the information identifying the coding method of the original content data" as recited in claim 22. Since Loiacono is not relied upon as curing this deficiency, it is respectfully submitted that the combination does not disclose or suggest the invention of claim 22.

For at least similar reasons, it is respectfully submitted that the encrypting circuit 51 of Ishiguro does not disclose or suggest "encoders to encode content data of multiple coding methods, and the encoding unit selects one of the encoders to encode the standard data according to the selected coding method of the copied content data" as recited in claim 23. Since Loiacono is not relied upon as curing this deficiency, it is respectfully submitted that the combination does not disclose or suggest the invention of claim 23.

Similarly, there is no suggest that the Loiacono adjusts information on both the diskette 13 and the hard drive in order to transfer the software from the hard drive to the diskette 13. Since Ishiguro is not relied upon as disclosing such a feature, it is respectfully submitted that that the combination does not disclose or suggest, among other features, "a confirming unit to confirm that the copied content data corresponds to the original content data using identification information in the copied and original content data" and "a control unit to change rights information in the copied and original content data so that the copied content data cannot be reproduced in a content player, and the original content data reflects that the copied content data cannot be reproduced" as recited in claim 25.

For at least similar reasons, it is respectfully submitted that the combination does not disclose the features of claim 28.

On page 7 of the Office Action, the Examiner asserts that the encryption method of Ishiguro is the functional equivalent of claimed feature of claim 26. By way of review, claim 26 recites, among other features, "a confirming unit to confirm that the copied content data corresponds to the original content data using identification information in the copied and original content data," where "said confirming unit identifies and finds the corresponding original content data using identification information in the copied content data." There is no suggestion in Ishiguro that the decoding circuit 14 searches for the plain text instead of or in addition to decoding the cipher text using the work key. Since Loiacono is not relied upon as curing this deficiency, it is respectfully submitted that the combination does not disclose or suggest the invention of claim 26.

For at least similar reasons, it is respectfully submitted that the combination does not disclose the features of claim 29.

Claims 4, 6, 18, 20, 21, 24, 27, 32, 33, and 35-42 are deemed patentable due at least to

their depending from corresponding claims 1, 5, 11, 25, 28 and 34.

PATENTABILITY OF NEW CLAIMS:

Claims 43-46 are deemed patentable due at least to their depending from corresponding claims 1 and 7.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By: _____
James G. McEwen
Registration No. 41,983

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Date: Nov. 19, 2004